

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WARREN E. BELL, SR.,

**Plaintiff,**

V.

MAPFRE INSURANCE and RANJIT KAUR,

### Defendants.

No. C17-1420RSL

## ORDER TO SHOW CAUSE

This matter comes before the Court *sua sponte*. On September 22, 2017, the Court

accepted for filing plaintiff's complaint alleging that defendant Ranjit Kaur lied regarding an accident and that defendant Mapfre Insurance improperly investigated and denied his claim for coverage related to the accident. Having reviewed the record as a whole under the standards articulated in 28 U.S.C. § 1915(e)(2) and having construed the allegations of the complaint liberally (see Bernhardt v. Los Angeles County, 339 F.3d 920, 925 (9th Cir. 2003)), the Court finds that plaintiff's complaint is deficient. Pursuant to Fed. R. Civ. P. 8(a)(1), the complaint must contain "a short and plain statement of the grounds for the court's jurisdiction." Although plaintiff asserts that "[d]efendant is from a different state" (Dkt. # 4 at 2), both plaintiff and Ms. Kaur are Washington residents (Dkt. # 4 at 1). 28 U.S.C. § 1332 (federal jurisdiction extends to "all civil actions where the matter in controversy exceeds . . . \$75,000 . . . and is between . . . citizens of different States."). Nor has plaintiff alleged facts giving rise to a plausible cause of action under federal law for purposes of 28 U.S.C. § 1331.

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The party asserting jurisdiction has the burden of establishing all jurisdictional facts. See U.S. v. Orr Water Ditch Co., 600 F.3d 1152, 1157 (9th Cir. 2010); Fed R. Civ. P. 12(h)(3) (“If the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action”). Plaintiff has failed to allege, much less establish, the basis of the Court’s jurisdiction. For the foregoing reasons, plaintiff is hereby ORDERED TO SHOW CAUSE why the complaint should not be dismissed for lack of subject matter jurisdiction. Plaintiff shall, within thirty (30) days of this order, file an amended complaint which establishes this Court’s jurisdiction. Such a complaint would either (a) allege a cause of action based on a violation of federal law, or (b) show that the parties are diverse (*i.e.*, that all defendants are residents of a state other than Washington) and that plaintiff is entitled to recover at least \$75,000. If an acceptable amended complaint is not filed within the time proscribed, this action will be dismissed without prejudice.

14 The Clerk of Court is directed to note this Order to Show Cause on the Court's calendar  
15 for Friday, October 13, 2017.

Dated this 29th day of September, 2017.

Robert S. Lasnik  
Robert S. Lasnik  
United States District Judge